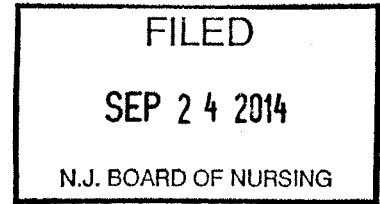


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STATE OF NEW JERSEY  
DEPARTMENT OF LAW & PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
STATE BOARD OF NURSING

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IN THE MATTER OF THE  
LICENSE OF

Administrative Action

DONNA M. GARVEY, R.N.  
LICENSE #NR 11218400

CONSENT ORDER OF  
REINSTATEMENT OF LICENSE

TO PRACTICE AS A  
REGISTERED PROFESSIONAL NURSE  
IN THE STATE OF NEW JERSEY

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This matter was opened to the New Jersey State Board of Nursing ("Board") upon receipt of respondent's petition for reinstatement of her nursing license. Ms. Garvey's nursing

license had been suspended by means of an order of Suspension of License entered on June 13, 2011, because of her failure to comply with the terms of a private letter agreement for participation in the Recovery and Monitoring Program of New Jersey (RAMP). Respondent's noncompliance consisted of her failure to check in with the monitoring system, failure to undergo scheduled random urine screens, and failure to provide required reports.

Respondent re-enrolled in RAMP in July of 2013, successfully completed intensive and general outpatient therapy, and her RAMP case manager indicates she has been compliant with the regimen of daily check-ins, random drug screening, monthly reporting and other RAMP program requirements. RAMP now supports respondent's petition for reinstatement.

The Board finding that reinstatement of respondent's license to practice nursing is appropriate at this time in light of RAMP's recommendation, and that the within Order is sufficiently protective of the public health, safety and welfare, in lieu of further proceedings, and for other good cause shown;

IT IS, ON THIS 24<sup>th</sup> DAY OF September, 2014

HEREBY ORDERED AND AGREED THAT:

1. Respondent's petition for reinstatement of her license to practice nursing in New Jersey is granted upon review and approval of a completed application for reinstatement along with the requisite fees, information, and proof of required continuing education, and Criminal History Background Check, if not already provided.

2. Respondent shall refrain from the use of any and all potentially addictive substances, including alcohol, except as prescribed by an authorized health care practitioner who is made aware of respondent's substance abuse history, if applicable. Respondent shall report any such use to RAMP in writing within five days of receiving such a prescription together with the name of the prescribing health care practitioner, the name of the drug, the quantity, frequency, expected length of use and reason for its use.

3. Respondent shall remain enrolled in, and remain compliant with, all of the terms and conditions of participation in the RAMP program. Respondent shall cause RAMP to inform the Board in writing if respondent is non-compliant with, or is terminated from or resigns from further participation in the program together with the reason for and complete documentation of the non-compliance, termination and/or resignation. Notification of the Board shall be within 24 hours of determination of non-compliance, termination or resignation, or

as soon thereafter as is practicable. Respondent shall provide RAMP's Director with a complete copy of the within Order.

4. Respondent shall provide a release to RAMP allowing RAMP to provide pertinent reports, records and other information pertaining to respondent to the Board. Respondent's signature on this order signifies respondent's waiver of any right to confidentiality with respect to these matters, and respondent's agreement that the Board may utilize any such reports, records and other information it receives from RAMP in any proceeding regarding respondent's licensure and that the Board may release any pertinent information in its possession to RAMP.

5. Respondent shall attend regular 12 step support group meetings or the equivalent, and nurse peer support group meetings, if required by RAMP. She shall attend individual counseling and psychiatric treatment until successful discharge, if required by RAMP. Respondent shall submit to random observed urine testing and/or hair, blood and nail testing if required by RAMP. Respondent's failure to submit to or provide a urine, hair, nail or blood sample when requested shall be deemed to be a violation of the terms of this Order.

6. Respondent shall work only in settings approved by RAMP, and shall have access to or responsibility for administering, dispensing or ordering potentially addictive substances in the course of her employment, only if approved by

RAMP. She shall not work more than 12 hours (excluding any additional time needed to meet documentation requirements) within any 24 hour period nor more than 40 hours per week (excluding any additional time needed to meet documentation requirements), unless approved by RAMP.

7 Respondent shall timely provide to RAMP any and all reports required pursuant to her RAMP contract, including reports from her employer or self-assessment reports.

8. Respondent shall notify RAMP within 5 days of any change of address, or any termination, resignation or leave of absence from any place of nursing employment.

9. Respondent shall immediately inform each employer representative and nursing supervisor of the terms of this Order and provide them with a copy of the Order. Respondent shall ensure that each employer representative and nursing supervisor provides written notification on facility letterhead to RAMP acknowledging receipt of a copy of the within Order and its terms.

10. Respondent shall remain in RAMP until successful completion of the program. Upon successful completion of RAMP, respondent shall notify the Board in writing. Upon receipt of written notification from the Board, respondent may then be released from the requirements of this Order by written notification, without further order of the Board. Unless

respondent has successfully completed RAMP, and received written notification from the Board that she is released from the requirements of this Order, respondent may not modify the conditions of this Order without submitting a written petition to the Board providing a detailed explanation of the basis for the modification requires, and must then enter into a new, modified agreement with the Board in the event the Board grants respondent's petition for modification.

11. Engaging in deceptive practices that are material to the functioning of the program, such as deception relating to screenings by altering urine samples, working as a nurse while not authorized by RAMP to do so, and working as a nurse without disclosing that employment to RAMP, shall be considered a violation of this order.

12. Any deviation from the terms of this Order without the prior written consent of the Board shall constitute a failure to comply with the terms of this Order. Upon receipt of any reliable information indicating that respondent has violated any term of this Order, respondent's license may be automatically suspended by the Board. Respondent, upon notice, may request a hearing to contest the entry of such an order. At any such hearing the sole issue shall be whether any of the information received regarding respondent was materially false. In addition,

the Board reserves the right to bring further disciplinary action.

NEW JERSEY STATE BOARD OF NURSING

*Patricia Ann Murphy PhD APN*

By:

Patricia Ann Murphy, PhD, APN, C

I have read and understand  
the within Consent Order and  
agree to be bound by its terms.

*Donna M. Garvey RN*  
Donna M. Garvey, R.N.